

WOOSTER CITY COUNCIL MINUTES
July 6, 2015

I. ROLL CALL & ORDERING OF AGENDA

President Mike Buytendyk called the regular meeting of Wooster City Council to order at 7:30 p.m. in council chambers. All members of City Council were present.

City Administration present: Mayor Bob Breneman, Director of Administration Joel Montgomery, Law Director Dick Benson, Finance Director Andrei Dordea, Development Coordinator Jonathan Millea, Chief Building Officer Tim Monea and Public Properties Maintenance Manager Curt Denning.

II. APPROVAL OF MINUTES

Councilwoman Knapic moved, seconded by Councilman Cavin to approve the minutes of the June 15, 2015 regular meeting. Upon voice vote the motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman introduced Barry Saley as the new Fire Chief and extended thanks to Assistant Fire Chief Nathan Murphy for filling the role as Chief in recent months. The Mayor gave a report of successful July Fourth celebrations in the City. The Mayor went on to give brief details regarding issues covering the Water Plants loss of electricity and subsequent Boil Alert that was issued for portions of the City, the water shut off and relocation of residents at the Larwill Mobile Home Park. Jonathan Millea added details regarding the efforts of social service agencies in assisting with relocations and Mr. Benson outlined the cities legal options with respect to recouping lost monies.

Joel Montgomery shared details about various construction projects going on throughout the City. Thomas Queen of U.S. Congressman Jim Renacci's office spoke briefly about constituent services offered by the Congressman's office and how to obtain assistance on a variety of issues.

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

The following members of the audience spoke: Greg Gehris, 347 N. Grant St.

I. Liquor Control Hearing Notice

Councilman Ulbright motioned to not have a hearing; seconded by Councilman Myers. Upon voice vote the motion carried unanimously.

V. COMMITTEE REPORTS; PUBLIC HEARINGS

No Committee reports were presented.

Councilwoman held a public hearing on ORDINANCE NO. 2015-23. Councilwoman Knapic shared details regarding the importance of rezoning the areas identified in the legislation to the progress of the city's new safety center and opened the hearing to public discussion. Linda Frey of 520 W. Larwill expressed concerns regarding traffic flows around the site and the ability of emergency vehicles to enter/exit the new facility during peak traffic times. Councilman Ulbright communicated details regarding the extensive study that went in to determining the most appropriate location for the facility. Greg Gehris of 347 N. Grant St expressed a wish to have an Internal Affairs Division added to the police department but was told by Council President Buytendyk his comments were not germane to the current hearing. Fire Chief Saley addressed Ms. Frey's concerns giving brief comments on available technology that will be used to avoid a majority of potential traffic hazards. No more comments were offered and the hearing was closed.

VI. OLD BUSINESS

1. Third Reading – RESOLUTION NO. 2015-45 A RESOLUTION PROVIDING FOR THE ANNUAL TAX BUDGET FOR 2016. (Ansel)

Councilman Ansel re-iterated the Tax Budget and detailed its legal/submittal requirements. It is the general financial plan for the City and must be submitted to the County Commission and will use a fixed property tax rate. It then must be sent on to the Wayne County Auditor to establish tax rates. Councilman Ansel moved for adoption and Councilman Sanders seconded the motion. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes and Ulbright-yes).

2. Second Reading – ORDINANCE NO. 2015-21 AN ORDINANCE ESTABLISHING THE SALARIES OF MEMBERS OF WOOSTER CITY COUNCIL FOR TERMS BEGINNING ON OR AFTER JANUARY 1, 2016 (Knapic)

Councilwoman Knapic shared details of the empaneling of a Compensation Review Committee in March earlier this year. This legislation details their recommendations for pay increases for future council members with terms beginning on or after 01/01/16.

Councilwoman Knapic moved to suspend the rules and place on third and final reading, seconded by Councilman Silvestri. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

Councilman Ulbright asked for clarification regarding how he would be affected by the legislation. Councilwoman Knapic communicated to him that this legislation would not affect him unless he ran for another term. Councilman Ulbright provided additional information regarding Council/Mayor election cycles. President Buytendyk shared details about the changes to the city's charter which make the compensation review committee possible and its purpose. Councilman Cavin offered his support for the legislation.

Councilwoman Knapic moved, seconded by Councilman Ansel, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

3. Second Reading – ORDINANCE NO. 2015-22 AN ORDINANCE ESTABLISHING THE SALARY OF THE OFFICE OF MAYOR FOR THE TERM BEGINNING ON OR AFTER JANUARY 1, 2016 (Knapic)

Councilwoman Knapic reiterated details of the empaneling of a Compensation Review Committee in March earlier this year. In addition to determining compensation for the council, they also considered/reviewed compensation for the mayor. Councilwoman Knapic gave a brief summary of the compensation recommendations set to take effect on or after 01/01/16.

Councilwoman Knapic moved to suspend the rules and place on third and final reading, seconded by Councilman Silvestri. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

Councilman Myers offered his support for the Office of Mayor and extended thanks to the commission for their efforts. Councilman Silvestri reiterated the legislative requirement to conduct these reviews and act on them and noted how Mayor Breneman had held off due to budgetary reasons. Councilman offered his opinions on the future of the Office of the Mayor and the need for the compensation to be competitive in

order to attract qualified candidates. Councilman Ansel added his support and thanks to the Mayor and the administrative team and gave his thanks to the commission.

Councilwoman Knapic moved, seconded by Councilman Ansel, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

4. Second Reading – ORDINANCE NO. 2015-23 AN ORDINANCE AMENDING TITLE ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, SO AS TO RE-ZONE LAND TO A CF (COMMUNITY FACILITIES) DISTRICT FOR PROPERTY LOCATED AT 3319 AND 3365 BURBANK ROAD (Knapic)

Councilwoman Knapic re-iterated details regarding the importance of rezoning the areas identified in the legislation to the progress of the city's new safety center.

Councilwoman Knapic moved to suspend the rules and place on third and final reading, seconded by Councilman Cavin. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

Councilman Myers supports the creation of the new safety center but expressed concerns about only having had a public hearing in planning and zoning and not at council.

Councilwoman Knapic moved, seconded by Councilman Cavin, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

5. Second Reading – RESOLUTION NO. 2015-49 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TERMINATING THE CITY OF WOOSTER'S PARTICIPATION IN THE WAYNE COUNTY JUSTICE CENTER AGREEMENT; AND AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH WAYNE COUNTY FOR THE HOUSING OF THE WOOSTER POLICE DEPARTMENT AT THE WAYNE COUNTY JUSTICE CENTER (Cavin)

Councilman Cavin re-iterated details regarding the City's part ownership of the County Justice Center, noting the city own 25% of the site. He highlighted the city spends over \$125,000 per year in rent and utilities. This measure would allow the city to remain in the current space for 3 years at no cost and forgoing its equity share. The goal is to have the new safety center completed in that period of time to allow a smooth transition from one location to the other.

Councilman Cavin moved to suspend the rules and place on third and final reading, seconded by Councilwoman Knapic. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes and Ulbright-yes).

Councilman Cavin moved, seconded by Councilwoman Knapic, to adopt. Upon roll call, motion to adopt carried (Ansel-yes; Cavin-yes; Knapic-yes; Myers-No; Sanders-yes; and Ulbright-yes).

VII. NEW BUSINESS

1. EXECUTIVE SESSION

I. To discuss pending litigation.

Councilman Silvestri motioned to enter Executive Session, seconded by Councilman Sanders upon roll call, motion to enter executive session carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes; and Ulbright-yes).

2. First Reading – **ORDINANCE NO. 2015-24 AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 945, COLLECTION AND DISPOSAL OF WASTE MATERIALS AND RECYCLABLES, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, WITH RESPECT TO THE COLLECTION OF RESIDENTIAL SOLID WASTE AND RECYCLABLES (Knapic)**

Councilwoman Knapic communicated that this would amend current ordinances to allow for residents to be provided with solid waste and recyclable containers to make trash removal more convenient. Councilwoman Knapic recognized Vince Crawford of Waste Management and asked him if he would like to make a statement. Mr. Crawford reported he was happy to answer any questions and shared containers will start being delivered on 07/20/15. He went on to give details about the two differences in the containers, their uses and how to align them at the curb and noted the containers will contain informational brochures to explain what items go in which container.

Councilman Cavin asked if Mr. Crawford had a photo of the cans and Mr. Millea communicated that a recycling container was present in Council Chambers and produced it. Councilman Ulbright shared citizen feedback regarding limited space to store the new containers and have relayed this information to the City Administration. Mr. Montgomery relayed that the City is actively working with all associations and individual citizens to come to amicable compromises to resolve their concerns. Mr. Crawford mentioned that a majority of citizen after using the containers find them to be a positive addition to trash services.

Councilwoman Knapic moved to suspend the rules and place on third and final reading, seconded by Councilman Ulbright. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes and Ulbright-yes).

Councilman Myers and Silvestri mentioned having some issues with respect to the wording of the ordinances relating to trash removal. Mr. Benson mentioned not being hasty with respect to wording changes and recommended having a separate meeting to review potential language changes.

Councilwoman Knapic moved, seconded by Councilman Silvestri, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; and Ulbright-yes).

3. First Reading – **ORDINANCE NO. 2015-25 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH CHESTERLAND PRODUCTIONS, PLL, FOR CERTAIN TAX INCENTIVES, AND DECLARING AN EMERGENCY (Ansel)**

Councilman Ansel communicated his appreciation to Mr. Millea regarding the thoroughness of the Enterprise Zone Agreement package materials. He went on to share that there is not sufficient warehouse facilities inside the city and activity of this sort will be beneficial to the companies that require significant warehousing spaces. Councilman Ansel summarized t briefly the details regarding the abatement and tax

increases that will occur as a result of passage. Due to a timing issue with respect to appropriate notification this was left on first reading.

4. First Reading – ORDINANCE NO. 2015-26 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH CHESTERLAND PRODUCTIONS, PLL, FOR CERTAIN TAX INCENTIVES, AND DECLARING AN EMERGENCY (Ansel)

Councilman Ansel reiterated the lack of warehousing facilities inside the City of Wooster. The addition of phase three's 90,000 square feet would be beneficial to customers currently using the facility. Councilman Ansel summarized briefly the details regarding the abatement and tax increases that will occur as a result of passage. Due to a timing issue with respect to appropriate notification this was left on first reading.

5. First Reading – ORDINANCE NO. 2015-27 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED AGREEMENT WITH CERTIFIED ANGUS BEEF, LLC FOR TAX ABATEMENT, AND DECLARING AN EMERGENCY (Ansel)

Councilman Ansel shared that Certified Angus Beef is a Wooster success story and shared details of their recent expansions. Councilman Ansel mentioned this is not a new abatement but amending the current agreement since the expansion was completed under budget by \$200,000 and ahead of schedule. Passage of this ordinance would serve to further improve the site with the same funds.

Mr. Millea shared additional details regarding the abatement and expansion. Brian of Certified Angus Beef extended his appreciation to Council for the time and shared details about how well Certified Angus Beef is doing and how it's helping to educate.

Councilman Ansel moved to suspend the rules and place on third and final reading, seconded by Councilman Ulbright. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes and Ulbright-yes).

Councilman Ansel moved, seconded by Councilman Silvestri, to adopt. Upon roll call, motion to adopt the measure passed (Ansel-yes; Cavin-yes; Knapic-yes; Myers-Recused; Sanders-yes; Silvestri-yes and Ulbright-yes).

6. First Reading – ORDINANCE NO. 2015-28 AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE (Ansel)

Councilman Ansel shared details regarding the summary provided to Council from Building and Standards Manager Tim Monea regarding efforts to clean up or demolish dilapidated properties within the City. The current measure would allocate additional funds to continue these positive efforts. The current measure moves \$50,000.00 from the unappropriated balance in the general fund to an appropriated account in the Buildings and Standards Division fund. Councilman Ansel highlighted portions of the summary and complimented Mr. Monea and his department on their efforts.

Councilman Ulbright extended his compliments and appreciation to the Building and Standards Department for their efforts.

Councilman Ansel moved to suspend the rules and place on third and final reading, seconded by Councilman Cavin. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes and Ulbright-yes).

Councilman Ansel moved, seconded by Councilman Cavin, to adopt. Upon roll call, motion to adopt the measure passed (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes and Ulbright-yes).

7. First Reading – ORDINANCE NO. 2015-29 AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE (Ansel)

Councilman Ansel shared details regarding salt purchases for the upcoming year's winter. Councilman Ansel drove home the need to make purchases of salt now, despite it being mid-summer in order to adequately build reserves. Councilwoman Knapic lauded the previous year's snow removal efforts and complimented all those involved for doing their jobs well. Councilman Silvestri noted the price of salt has tripled over previous years and the importance of buying early in the season to maximize all possible savings.

Councilman Ansel moved to suspend the rules and place on third and final reading, seconded by Councilman Silvestri. Upon roll call, motion carried unanimously (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; Silvestri-yes and Ulbright-yes).

Councilman Ansel moved, seconded by Councilman Ulbright, to adopt. Upon roll call, motion to adopt the measure passed (Ansel-yes; Cavin-yes; Knapic-yes; Myers-yes; Sanders-yes; and Ulbright-yes).

8. Consideration of proposed litigation settlement.

Councilwoman Knapic motioned to allow the Mayor to enter into a settlement agreements with two defendants in the case of City of Wooster v. ATS Engineering Inc, et al. Seconded by Councilman Ulbright. By voice vote the motion carried unanimously.

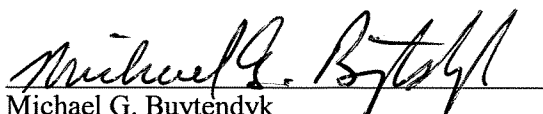
X. MISCELLANEOUS

Councilman Cavin extended congratulations to new Fire Chief Saley and Assistant Fire Chief Murphy. Mr. Cavin also extended thanks to the Administration and specifically Jonathan Millea on efforts to assist families at the Larwill Mobile Home Park.

Councilwoman Knapic echoed the thoughts expressed by Councilman Cavin. Councilman Myers shared he received notifications regarding the Boil Alert, but agreed the City must work to better inform citizens of such issues. Mr. Myers extended his compliments and appreciation to Certified Angus Beef for their work. Councilman Silvestri extended his appreciation to attendees of the Council meeting and to the Mayor for getting the boil alert out in a timely manner. Councilman Ulbright conveyed his appreciation to the Administration staff for the hard work.

XI. ADJOURNMENT

Councilman Ulbright moved, seconded by Councilwoman Knapic, to adjourn. Motion carried and meeting so adjourned.


Michael G. Buytendyk
President of Council


Tony Ramos
Clerk of Council